

THE COUNTY BULLETIN

And Uniform Compliance Guidelines

ISSUED BY STATE BOARD OF ACCOUNTS

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SPECIAL EDITION

NEW LAWS AFFECTING VARIOUS COUNTY OFFICES

The following is a digest of some of the laws passed by the 2005 Regular Session of the General Assembly affecting various offices in county government. Some of the laws do not pertain directly to a particular county office, but are included in this digest for ready reference to the covered subject matter.

The digest is not intended as an expression of legal interpretations, nor is the digest intended to be all inclusive. Reference in the digest will be to the Indiana Code in the following form (Amends IC 33-17-10-5) which means (Amends Indiana Code, Title 33, Article 17, Chapter 10, Section 5). Please note the effective date of each law.

PUBLIC LAW 4- HOUSE ENROLLED ACT 1003 - EFFECTIVE FEBRUARY 9 AND JULY 1, 2005 -Indiana Economic Development Corporation (IEDC)

Amends several sections of the Indiana Code - Creates the new IEDC which replaces the Department of Commerce and the enterprise zone board, the twenty-first century research, and the technology fund board.

PUBLIC LAW 5 – HOUSE ENROLLED ACT 1022 - EFFECTIVE FEBRUARY 17, 2005 -Military Base Planning Council

Adds IC 4-3-21 to create the Military Base Planning Council. Provides the County should identify opportunities for collaboration among political subdivisions.

PUBLIC LAW 10 – HOUSE ENROLLED ACT 1600 – EFFECTIVE APRIL 7, 2005 -Special Death Benefit Fee

Amends IC 5-10-10-4, IC 5-10-10-5 and IC 35-33-8-3.2 - Requires the clerk of a court to collect a five dollar (\$5) special death benefit fee on each surety bond, securities bond, or real estate bond and retain a fee of five dollars (\$5) from each ten percent (10%) cash or securities bond. The special death benefit fee shall be remitted to the State semiannually by the county auditor. This law further provides that the County Sheriff may collect the fee. The clerk and sheriff shall monthly remit the fee to the county auditor.

PUBLIC LAW 15 – SENATE ENROLLED ACT 265 – EFFECTIVE JULY 1, 2005 -Reimbursement Grants, Appropriation

Adds IC 6-1.1-18-7.5 – Allows county councils to appropriate any funds received as a grant from the state or federal government without using the additional appropriation procedures under IC 6-1.1-18-5, if the funds are provided or designated by the state or federal government as a reimbursement of expenditures made by the political subdivision.

PUBLIC LAW 22 – SENATE ENROLLED ACT 56 – EFFECTIVE APRIL 15, 2005 -Department of Homeland Security

Adds IC 10-19 – Establishes the State Department of Homeland Security.

PUBLIC LAW 29 - SENATE ENROLLED ACT 111 - EFFECTIVE APRIL 15, 2005

-Memorial Day Expenses

Amends IC 10-18-8-1 - Adds (b) In a county in which one (1) of the organizations listed in subsection (a) coordinates the Memorial Day celebration for the county, the county council may annually appropriate to the organization coordinating the celebration a sum not to exceed the total amount to which the organizations listed in subsection (a) would be collectively entitled to receive to defray the expenses of the Memorial Day celebration.

PUBLIC LAW 31 - SENATE ENROLLED ACT 175 - EFFECTIVE JULY 1, 2005

-Probation

Amends IC 35-38-2.5 – Requires certain sex offenders to be monitored with a device that can transmit information twenty-four (24) hours each day regarding the offender's precise location.

PUBLIC LAW 40 - HOUSE ENROLLED ACT 1302 - EFFECTIVE JULY 1, 2005

-Regulation of Seeds

Adds IC 15-4-1-16 – Restricts a county from regulating seeds unless the county obtains a waiver from the state seed commissioner.

PUBLIC LAW 43 - HOUSE ENROLLED ACT 1580 - EFFECTIVE JULY 1, 2005

-Volunteer EMS Association – Absence from Employment to Respond to Emergencies

Amends IC 36-9-12-10.5 – Adds IC 36-8-12-10.7 and IC 36-8-12-10.9 – Prohibits a public employer from disciplining a volunteer firefighter or volunteer emergency medical services association member who is late for work when responding to a fire or emergency call. Permits an employer to request proof that the employee was at a fire or emergency. An employer is not required to compensate such employees while they are absent. Provides that a county who permits an employee to be absent from employment to answer calls is not committing ghost employment.

PUBLIC LAW 55 - HOUSE ENROLLED ACT 1263 - EFFECTIVE JULY 1, 2005

-Alternative Dispute Resolution Fund

Amends IC 33-23-6-2 – Adds Probate Courts to the list of courts able to participate in this fund. Allows one fund to be established in a county if more than one court exercises jurisdiction over domestic relations and paternity cases if the county auditor and judge of each court agree to establish one fund. Allows co-payments of litigants, if specified in plan, to be deposited in the fund. A fund used by multiple courts shall be administered jointly by all the courts using the fund.

PUBLIC LAW 58 - SENATE ENROLLED ACT 14 - EFFECTIVE APRIL 22 AND JULY 1, 2005

-Elections

Amends and adds to several sections of Title 3 – Changes the laws governing ballots.

PUBLIC LAW 59 – SENATE ENROLLED ACT 63 – EFFECTIVE JULY 1, 2005

-Railroad Corridors

Amends IC 8-4.5-3, IC 8-4.5-4 - Repeals IC 8-4.5-4-5 – Adds IC 8-4.5-4-1.5 – Requires the Department of Transportation to consult with local agencies before preparing a list of railroad corridors for preservation.

PUBLIC LAW 62 - SENATE ENROLLED ACT 149 - EFFECTIVE JULY 1, 2005
-PERF Benefits

Amends IC 5-10.2-4-8 – Raises the exempt amount that a member can make from \$25, 000 to \$35, 000 when a member is reemployed in a covered position before the member must make contributions again or stop receiving benefits. Such member must not be of social security retirement age.

PUBLIC LAW 66 - SENATE ENROLLED ACT 352 - EFFECTIVE JULY 1, 2005
-Unsafe Premises

Amends IC 36-7-9-4 – Adds certain tracts of real property without buildings or structures to the unsafe building law.

PUBLIC LAW 74 - SENATE ENROLLED ACT 244 - EFFECTIVE JULY 1, 2005
-Design-Build Public Works Projects

Adds IC 5-30-1-3 - Design-build contract means a contract between a public agency and a design-builder to furnish: (1) architectural, engineering, and related design services as required for a public project; and (2) labor, materials, and other construction services for the same public project.

Adds IC 5-30-1-11 - "Public agency" means: (2) a state educational institution (as defined in IC 20-12-0.5-1); (3) a unit (as defined in IC 36-1-2-23).

Adds IC 5-30-1-12 to provide in part, (a) "Public project" means the process of designing, constructing, reconstructing, altering, or renovating a public building, an airport facility, or another structure or improvement that is paid for out of: (1) a public fund; or (2) a special assignment. (b) The term includes either of the following: (1) A process described in subsection (a) relating to a building or structure leased by a public agency under a lease containing an option to purchase. (2) A public improvement to real property owned by a public agency.

Adds IC 5-30-2-2 to provide in part, before entering into a design-build contract under this article for a public project, the governing body of a public agency must adopt a resolution authorizing the use of the design-build contracting method for the public project. The resolution must identify the members of the technical review committee appointed under IC 5-30-4. The governing body must adopt the resolution at a public meeting for which public notice has been provided.

Adds IC 5-30-4-1 to provide in part, (a) Before entering into a design-build contract, a public agency must appoint a technical review committee of at least three (3) individuals. (b) The members of the technical review committee must include the following: (1) A representative of the public agency. (2) At least two (2) of the following, but not more than one (1) under each clause: (A) An architect registered under IC 25-4. (B) A professional engineer under IC 25-31. (C) A qualified contractor under IC 4-13.6. (c) A member of the technical review committee who is an architect or a professional engineer may be: (1) an employee of the public agency; or (2) an outside consultant retained by the public agency for the specific purpose of evaluating proposals submitted under this article. (d) The design criteria developer may serve as: (1) a full member; or (2) a nonvoting advisor; of the committee.

Adds IC 5-30-4-3 to provide in part, (a) The technical review committee shall do the following: (1) Qualify potential design-builders as provided in IC 5-30-5. (2) Rate and score qualitative proposals as provided in IC 5-30-6 and IC 5-30-7. (b) The technical review committee may interview persons submitting proposals and conduct other business necessary to fulfill the purposes of this article.

Makes various other provisions for the design-build process. Also requires a request for qualifications to be published under IC 5-3-1.

PUBLIC LAW 81 - SENATE ENROLLED ACT 482 - EFFECTIVE VARIOUS DATES**-Voter Registration**

Amends several sections of the voter registration laws in IC 3-7 and IC 3-8 – Makes several changes to the laws dealing with late registration, voter registration forms, deceased voter notification, and the statewide voter registration list.

PUBLIC LAW 82 - SENATE ENROLLED ACT 518 – EFFECTIVE JULY 1, 2005**-Forestry Operations**

Amends IC 14-8-2-289, IC 32-30-6-1.5, IC 32-30-6-7 and IC 36-7-4-201 – Adds IC 32-30-1-11 and IC 36-7-2-10 – States that a county ordinance adopted after March 31, 2005 that makes a forestry operation a nuisance or provides for abatement of a forestry operation as a nuisance, trespass, or zoning violation is void. Exempts certain other forestry operation from ordinances adopted before April 1, 2005.

PUBLIC LAW 88 - SENATE ENROLLED ACT 308 – EFFECTIVE JULY 1, 2005**-Terms of Office of County Elected Officials and Township Assessing**

Eliminates holdover offices which exist in certain counties to allow for officials to take office on January 1 following the November election. Amends IC 6-1.1-35-1.1 – A county assessor or elected township assessor who fails to attain certification is subject to forfeiture of the part of the assessor's annual compensation that relates to real property assessment duties. The county fiscal body may reduce the appropriations for the annual compensation of a township assessor or county assessor in an amount that bears the same proportion to the assessor's annual compensation that the time during the year required for the performance of the assessor's real property assessment duties bears to the time during the year required for performance of the assessor's overall duties. The assessor's annual compensation is reduced by the amount of the appropriation reduction. A trustee assessor who fails to attain certification relinquishes all duties relating to real property assessment to the county assessor until the trustee assessor attains certification.

PUBLIC LAW 91 – SENATE ENROLLED ACT 503 – EFFECTIVE JULY 1, 2005**-Social Security Numbers**

Adds IC 4-1-10, IC 4-1-11 and IC 36-2-7.5 – Prohibits state agencies from releasing social security numbers of individuals unless required by law or court order, the Patriot Act, Drivers Privacy Act, the Fair Credit Reporting Act, or the Financial Modernization Act. No document may be recorded after December 31, 2005 that contains the social security number of an individual. Individual preparing a document for recording shall affirm on a form prescribed by the State Board of Accounts that they have reviewed the document and redacted all social security numbers. Recorder shall deposit \$2 in the county identification security protection fund. The county fiscal body shall appropriate this fund to purchase, upgrade, implement, or maintain redacting technology. Beginning 1-1-08, a recorder may not disclose a recorded document for public inspection until the recorder has searched the document for a social security number and to the extent possible, redacted any social security number in the document. Recorder shall conduct training sessions at least 2 times each year for the recorder's employees on the requirements of this chapter.

PUBLIC LAW 103 – SENATE ENROLLED ACT 15 – EFFECTIVE JULY 1, 2005**-Absentee Ballots**

Amends and adds to several sections of Title 3 – Makes numerous changes to the laws governing absentee ballots.

PUBLIC LAW 109 – SENATE ENROLLED ACT 483 – EFFECTIVE JULY 1, 2005**-Voter Identification**

Adds and amends several sections in the voter identification laws in Title 3. Requires voters to show picture identification in order to vote.

PUBLIC LAW 113 - SENATE ENROLLED ACT 18 - EFFECTIVE MAY 4, 2005

-Loss of Office – Conviction of a Felony

Amends IC 3-8-1-5 – Amends the law dealing with forfeiture of office for the conviction of a felony.

PUBLIC LAW 115 - SENATE ENROLLED ACT 49 – EFFECTIVE JULY 1, 2005

-Computer Spyware

Adds IC 24-4.8 – Amends IC 35-32-2-1 and IC 35-41-1-1 – Allows a software provider, web site owner, or a trademark or copyright holder who is harmed by a prohibited use of spyware to bring civil action against the person who committed the prohibited act. Provides for injunctive relief for the greater of actual damages or \$100,000 per violation.

PUBLIC LAW 118 - SENATE ENROLLED ACT 100 - EFFECTIVE JULY 1, 2005

-County Option Income Tax and County Economic Development Income Tax

Amends IC 6-3.5-6-19 and IC 6-3.5-7-13.1 – Allows such tax revenues to be used for any lawful purpose. If county economic development income tax revenue has been pledged to pay off economic development debt, then it must be used to pay off the debt.

PUBLIC LAW 119 - SENATE ENROLLED ACT 179 - EFFECTIVE JULY 1, 2005

-Vacancies in Office Caused by Death

Amends several sections in IC 3-13-8 and IC 3-13-9, IC 5-8-1-37, IC 5-8-5-1, IC 5-8-5-3, IC 5-8-54 and IC 35-50-5-1.1 – Adds IC 5-8-6 – Establishes a procedure to follow in giving notice of death of an office holder. Requires a person who knows of the death of an office holder to notify the circuit court clerk of the county where the office holder resides. States that notice of a meeting to fill such vacancies may not be given until notice is received from the circuit court clerk.

PUBLIC LAW 128 - SENATE ENROLLED ACT 322 - EFFECTIVE JULY 1, 2005

-Legal Expenses of County Officers and Employees

Adds IC 36-1-17 – Prohibits a county from paying the legal expenses of a county officer or employee incurred in defending against a criminal action, a civil action, or a proceeding to enforce an ordinance or a statute defining an infraction. Requires reimbursement of reasonable legal expenses incurred by the officer or employee if all charges are dismissed or the officer or employee is found not guilty.

PUBLIC LAW 131 - SENATE ENROLLED ACT 446 - EFFECTIVE JULY 1, 2005

-Stormwater Utility Liens

Adds IC 8-1.5-5-29, IC 8-1.5-5-30 and IC 8-1.5-5-31 – Requires delinquent stormwater fees to be recorded and certified in the same manner as delinquent sewer charges.

-Municipal Ordinance Violations – Conditions on Real Property

States that if a city or town takes action to bring the real property in compliance, the expenses incurred by the city or town constitute a lien against the property. The lien attaches when notice of the lien is recorded in the County Recorder's office. A city or town may issue a bill to the owner of the real property for the costs incurred by the city or town in bringing the property into compliance with the ordinance including administrative costs and removal costs. A bill issued is delinquent if the owner of the real property fails to pay the bill within thirty (30) days after the date of the issuance of the bill. Whenever a city or town determines it necessary, the officer charged with the collection of fees and penalties for the city or town shall prepare:

(1) a list of delinquent fees and penalties that are enforceable, including:

(A) the name or names of the owner or owners of each lot or parcel of real property on which fees are delinquent;

(B) a description of the premises, as shown on the records of the county auditor; and

PUBLIC LAW 131 - SENATE ENROLLED ACT 446 - EFFECTIVE JULY 1, 2005 – (Continued)
-Municipal Ordinance Violations – Conditions on Real Property – (Continued)

(C) the amount of the delinquent fees and penalty; or

(2) An instrument for each lot or parcel of real property on which the fees are delinquent. The officer shall record a copy of each list or each instrument with the county recorder, who shall charge a fee for recording the list of instrument under the fee schedule established in IC 36-2-7-10. The amount of a lien shall be placed on the tax duplicate by the county auditor. The total amount, including any accrued interest, shall be collected in the same manner as delinquent taxes are collected and shall be disbursed to the general fund of the municipal corporation. A fee is not enforceable as a lien against a subsequent owner of property unless the lien for the fee was recorded with the county recorder before conveyance to the subsequent owner. If the property is conveyed before the lien is recorded, the municipal corporation shall notify the person who owned the property at the time the fee became payable. The notice must inform the person that payment, including penalty fees for delinquencies, is due not later than fifteen (15) days after the date of notice. If payment is not received within one hundred eighty (180) days after the date of the notice, the amount due may be considered a bad debt loss.

The city or town shall release:

- (1) liens filed with the county recorder after the recorded date conveyance of the property; and
- (2) delinquent fees incurred by the seller;

Upon receipt of a written demand from the purchaser or a representative of the title insurance company or the title insurance company's agent that issued a title insurance policy to the purchaser. The demand must state that the delinquent fees were not incurred by the purchaser as a user, lessee, or previous owner and that the purchaser has not been paid by the seller for the delinquent fees.

The county auditor shall remove the fees, penalties, and service charges that were not recorded before a recorded conveyance to a subsequent owner upon receipt of a copy of the written demand.

-Regional Sewer Districts

Adds IC 13-26-14-4 – States that the rates, fees, or charges made, assessed, or established by the district are a lien on a lot, parcel of land or building that is connected with or uses the works of the district in the manner established under IC 36-9-23. The liens:

- (1) attach;
- (2) are recorded;
- (3) are subject to the same penalties, interest, and reasonable attorney's fees on recovery; and
- (4) shall be collected and enforced;

in substantially the same manner as provided in IC 36-9-23-31 through IC 36-9-23-32.

PUBLIC LAW 153 - SENATE ENROLLED ACT 242 - EFFECTIVE JULY 1, 2005
-Drivers License Reinstatement Fees

Amends IC 9-30-5-11, IC 9-30-6-9, IC 9-30-11-6 and IC 9-30-12-25 – Adds IC 9-29-10-2 and IC 9-29-10-3 – Allows a court to waive a drivers license reinstatement fee if the person who owes the fee is indigent and has presented proof of financial responsibility.

PUBLIC LAW 166 - SENATE ENROLLED ACT 564 - EFFECTIVE JULY 1, 2005
-Sheriff's Sale

Amends IC 32-29-7-4 and IC 32-30-10-9 – If the petitioner requests the services of an auctioneer and the court approves, the sheriff shall engage the auctioneer not later than 14 calendar days after the date of court order.

PUBLIC LAW 176 - HOUSE ENROLLED ACT 1113 - EFFECTIVE JULY 1, 2005**-Court Costs**

Amends IC 33-34-8-1, IC 33-37-4-1, IC 33-37-4-2, IC 33-37-4-3, IC 33-37-4-4, IC 33-37-4-5, IC 33-37-4-6, IC 33-37-7-7, IC 33-37-5-21.2, IC 33-37-7-2, IC 33-37-7-8, IC 33-37-7-9, IC 33-39-8-5 and IC 34-28-5-1 – Adds IC 10-13-6-9.5, IC 33-37-5-26, IC 33-37-5-26.5, IC 33-37-5-27 and IC 33-37-5-28 – Changes the name of the judicial administration fee to the public defense administration fee. Raises the fee to three (\$3). Creates a judicial salaries fee of fifteen dollars (\$15). [Ten dollars (\$10) on small claims cases] Creates a court administration fee of two dollars (\$2) and a DNA sample processing fee of one dollar (\$1). Creates a small claims service fee of ten dollar (\$10) for each additional defendant named other than the first named defendant. Creates a civil claims service fee of ten dollars (\$10). Such new fees are also to be paid by those people placed in the Pretrial Diversion Program.

-Deferred Prosecution Fee – Pretrial Diversion Program

Amends IC 33-37-4-1, IC 33-37-5-17, IC 33-37-8-4, IC 33-37-8-6, and IC 33-39-1-8 – Raises the fee from fifty dollars (\$50) to one hundred twenty dollars (\$120).

-Deferral Program Fees

Amends IC 33-37-4-2, IC 33-37-8-4, IC 33-37-8-6 and IC 34-28-5-1 – Raises the fee which was formerly twenty-five dollars (\$25) in court costs to seventy dollars (\$70).

PUBLIC LAW 177 - HOUSE ENROLLED ACT 1137 - EFFECTIVE JULY 1, 2005**-Office of Technology**

Adds IC 4-13.1 – Creates the Office of Technology which combines several state agencies. Provides that the Office of Technology shall assist local governments in coordinating operations of information technology systems.

PUBLIC LAW 183 - HOUSE ENROLLED ACT 1495 - EFFECTIVE MAY 6, 2005**-Railroad Crossing Maintenance**

Amends IC 8-23-5-2 – Permits a county to repair railroad crossings if the county obtains written approval from the railroad owner before commencing the work. The cost of maintenance may be wholly or partly borne by the county.

PUBLIC LAW 187 - HOUSE ENROLLED ACT 1776 - EFFECTIVE JULY 1, 2005**-Seizure of Firearms**

Amends IC 35-33-5 and IC 35-47 – Adds IC 35-47-13 – Sets out procedures a law enforcement agency may use to seize weapons possessed by certain dangerous individuals. Sets out rules for retention and return of such firearms by law enforcement agencies.

PUBLIC LAW 199 - SENATE ENROLLED ACT 496 - EFFECTIVE VARIOUS DATES**-Bond Issue and Leases**

Adds IC 5-1-18 – Requires counties that issue bonds or enter into leases after December 31, 2005, to supply the Department of Local government Finance (DLGF) with information concerning the bond issue or lease within twenty (20) days after the issuance of the bonds or execution of the lease. The information required must be submitted on a form prescribed by DLGF.

PUBLIC LAW 199 - SENATE ENROLLED ACT 496 - EFFECTIVE VARIOUS DATES – (Continued)

-Review of Library Budgets

Adds IC 36-12-14 – Amends IC 6-1.1-17-20 – Requires public libraries to submit their proposed budgets and tax levies if their proposed tax levy is greater than five percent (5%) of the current year levy to:

(1) If the library district is located entirely with the corporate boundaries of a municipality, the appropriate fiscal body is the fiscal body of the municipality.

(2) If the library district is not described by subdivision (1) and the district is located entirely within the boundaries of a township, the appropriate fiscal body is the fiscal body of the township.

(3) If the library district is not described by subdivision (1) or (2), the appropriate fiscal body is the fiscal body of each county in which the library district is located.

The appropriate fiscal body may reduce or modify but not increase the proposed budget or tax levy.

-Riverboat Revenue

Amends IC 36-1-8-9 – Adds IC 36-1-8-9.5 – Allows revenue received from a development agreement between a licensed owner and a county to be deposited in a riverboat fund. States that such revenues are public funds.

-County Economic Development Income Tax (CEDIT) – Homestead Credits

Amends IC 6-3.5-7-25 and IC 6-3.5-7-26 – Adds IC 6-3.5-7-25.5 – Extends the time to adopt an ordinance to provide a tax declaration for inventory and homestead credits from CEDIT revenue to June 1, 2005.

PUBLIC LAW 207 - SENATE ENROLLED ACT 609 - EFFECTIVE VARIOUS DATES

-Tax Distributions – CAGIT – COIT

Adds IC 6-3.5-1.1-1.1 and IC 6-3.5-6-1.1 – Amends IC 6-3.5-1.1-9, IC 6-3.5-1.1-12, IC 6-3.5-1.1-14, IC 6-3.5-1.1-15, IC 6-3.5-6-17, IC 6-3.5-6-18 and IC 6-3.5-7-11 – Changes the formula on the distribution of CAGIT and COIT. Excludes taxes used to pay debt issued after June 30, 2005 from the formula.

PUBLIC LAW 208 - HOUSE ENROLLED ACT 1033 - EFFECTIVE VARIOUS DATES

-Brownfields

Adds IC 6-1.1-45.5 – Establishes procedures for waiver of property taxes by the Department of Local Government Finance (DLGF) on certain brownfield properties.

-Underground Storage Tanks

Amends IC 6-3.1-23 – Removes liability for counties on certain properties acquired containing hazardous substances.

PUBLIC LAW 210 - HOUSE ENROLLED ACT 1073 - EFFECTIVE MAY 1, 2005 AND JULY 1, 2005

-Motor Vehicles

Amends several sections of the Indiana Code which govern drivers licenses and vehicle registration.

-Public Records

Amends IC 5-14-3-4 – Adds records of a public agency that contains a social security number to the list of confidential records.

PUBLIC LAW 214 - HOUSE ENROLLED ACT 1120 - EFFECTIVE JANUARY 1, 2006**-Demand Notices**

Amends IC 6-1.1-23-1 – County Treasurers may serve a written demand upon a county resident who is delinquent in the payment of personal property taxes annually, after May 10 but before October 31 of the same year. This is in addition to the written demand notice that is sent after November 10 and before August 1 of the succeeding year.

Stipulates new procedures to personal property that is subject to a lien of a creditor under an agreement entered after June 30, 2005, comes into possession of creditor after May 10, 2006, and has an assessed valuation of at least \$3,200. Provides a formula to determine amount of delinquent taxes to be paid to the county treasurer by the creditor. For property transferred to the creditor after May 10, 2006, the creditor shall request a form from the county treasurer. This form will be prescribed by the State Board of Accounts. Before property can be transferred, the creditor must obtain from the county treasurer a delinquent personal property tax form and file the form with the treasurer.

-Stadium and Convention Building Food and Beverage Tax Funding

Adds IC 6-9-35 – Allows Boone, Johnson, Hamilton, Hancock, Hendricks, Morgan and Shelby Counties and the cities or towns of Carmel, Fishers, Greenfield, Lebanon, Noblesville, Westfield and Zionsville to impose a one percent (1%) food and beverage tax. Fifty percent (50%) of the taxes received shall be paid to the Marion County Capital Improvements Board.

PUBLIC LAW 216- HOUSE ENROLLED ACT 1182 - EFFECTIVE JULY 1, 2005**-Tax Increment Finance (TIF) Allocation Areas**

Amends IC 6-1.1-12, IC 6-1.1-12.1, IC 6-11-39-2, IC 36-7-14-39, IC 36-7-15.1-26, IC 36-7-15.1-33 – Repeals IC 6-1.1-12.1-2.3 – Extends deadlines for creating a new TIF area from December 31, 2005 to December 31, 2011.

PUBLIC LAW 220- HOUSE ENROLLED ACT 1394 - EFFECTIVE JULY 1, 2005**-Deferred Compensation Plans**

Amends IC 5-10-1.1-7 – Allows counties to offer their employees both the state deferred compensation plan and another deferred compensation plan that uses private vendors.

PUBLIC LAW 222- HOUSE ENROLLED ACT 1501 - EFFECTIVE VARIOUS DATES**-Office of Inspector General**

Adds IC 5-11-5.5 – Amends several sections of the Indiana Code – Creates the office of Inspector General which will investigate wrongdoing affecting State Government.

PUBLIC LAW 228- SENATE ENROLLED ACT 327 - EFFECTIVE VARIOUS DATES**-Reassessment**

Adds IC 6-1.1-4-31.5 – Sets out provisions allowing DLGF to order a state conducted assessment or reassessment and how that contract is paid.

-Sales Disclosure

Amends 6-1.1-5-5 – Extends sales disclosure filings until December 31, 2011. Stipulates the percentage breakdown of the revenue.

PUBLIC LAW 238 - HOUSE ENROLLED ACT 1153 - EFFECTIVE JANUARY 1, 2005

-Wills

Adds IC 29-1-7-3.1 – A person may deposit a will with the clerk of the county in which the testator resided when the testator executed the will. The clerk shall collect a fee of \$25 which will be deposited in the clerk's record perpetuation fund.

-Sheriff's Sale

Amends IC 32-29-7-3 – The sheriff may change an administrative fee of not more than \$200.00 for actual costs directly attributable to the administration of the sale. The fee is payable by the person seeking to enforce the judgment and decree and due at the time of filing of the praecipe.

PUBLIC LAW 240 - HOUSE ENROLLED ACT 1365 - EFFECTIVE JULY 1, 2005

-Merger of Townships

Adds IC 36-6-1.5 – Permits two (2) or more townships to merge and become a new township.

PUBLIC LAW 243 - SENATE ENROLLED ACT 127 - EFFECTIVE MAY 13, 2005 and JANUARY 1, 2006

-Daylight Savings Time

Adds IC 1-1-8.1-3 – Requires the State to observe daylight savings time in 2006. Petitions the Federal government to hold hearings on the matter. Allows certain counties to remain in current time zones.